



Department of Conservation and Recreation
Stewardship Council Meeting
August 9, 2007
Waquoit Bay, Falmouth, Ma

Meeting Minutes

Stewardship Councilors in Attendance: Chairman Dick Cross, Councilors, Michael Dutton, Laura Johnson, Whitney Hatch, Henry Lee and Dan Wolf.

Public Attendees: A. Richard Miller (representing Carole Berkowitz, Protect Our Water Resources); Mike Ryan, Friends of the Fells; Steve Kaiser, Association of Cambridge Neighborhood; A. Richard Miller, Cochituate State Park Advisory Committee; Jill Miller, Cochituate State Park Advisory Committee; Carol Gilmour, Friends of Robinson State Park; Rick O'Neil, Friends of Robinson State Park; Pine du Bois, Jones River Watershed Association.

DCR Staff in Attendance: Commissioner Rick Sullivan, Stephanie Cooper, Tom LaRosa, Suzanne Wilson, Brendan Annette, Jack Donohue, Marcelle Valentin, and Joe Rotondo.

I. **Call To Order (2:05 p.m.), Councilor Cross**

- a. Chairman Cross briefly greeted the Council, the public and the Commissioner and reiterated his support of Commissioner Sullivan and productive discussions they continue to have. He also noted the policy for public comment, allowing for a seven minute time frame per person. Councilor Cross then introduced Commissioner Sullivan.

II. **Commissioner's Report, Commissioner Rick Sullivan**

- a. Commissioner Sullivan introduced Brendan Annett, Environmental Analyst at the Waquoit Bay National Estuarine Research Reserve. Mr. Annett briefly gave an overview about the research happening at the Reserve and how it informs our stewardship and provides education programs. Mr. Annett discussed his role at Waquoit Bay in regards to coastal management and estuarine research and offered after the Stewardship Council meeting to give a brief land based tour of the Reserve, then welcomed the Council.
- b. Commissioner Sullivan reported on the Beaches Commission report. On July 31, he met with the entire Metropolitan Beaches Commission in an informal meet and greet. The Commissioner mentioned that he thanked the Legislature and the Commission for providing a blueprint that he hoped will eventually be implemented at all DCR properties. The Commissioner touched on DCR's focus on partnerships and his determination to expand that program to create a strong constituency.
- c. Commissioner Sullivan joined Governor Patrick and Secretary Bowles on August 1st at Revere Beach for a press conference highlighting improvements DCR has made to the beaches working with partners such as the Revere Beach Partnership. After visiting the beach, Governor Patrick announced steps to be taken toward improving maintenance at state beaches in the metropolitan Boston area, as part of the plan to refocus DCR on its core mission of parks, forests, and beaches. With members of the Beaches Commission and area legislators, Governor Patrick announced that DCR would use \$5.1 million

appropriated in the FY 08 budget for personnel and equipment to improve maintenance at DCR beaches and to hire several year-round beach managers. Commissioner Sullivan said DCR will be going back to the public to ask the community for feedback on how we are doing in maintaining and managing our facilities.

- d. The Commissioner also noted that the Governor as well announced at this event a directive that he and Secretary Bowles have given him to conduct a top-to-bottom review at DCR, evaluating personnel and organizational structures in terms of how well they serve the primary focus of improving operations and programming at the state parks, beaches, and other recreational facilities. This review is to be completed by October 1. The Commissioner apologized to the Council for not having the chance to inform members prior to the Governor's announcement regarding the directive of the October 1st deadline. Commissioner Sullivan stated in terms of our approach, during his first two months at DCR, he has been impressed by the hard work and dedication of so many individuals on the DCR team. They have welcomed him with respect and support, which he has appreciated immensely. He assured DCR employees that as the agency evaluation proceeds; it is his intention to maintain that professionalism.
- e. Also at this event, a number of steps that DCR has already taken to better respond to the recreational demand in the Greater Boston area were cited, including early hiring of seasonal staff members, institution of an aggressive upkeep plan for the summer, and the posting of maintenance schedules for each park and beach in Greater Boston on the DCR website.
- f. On July 25th, Commissioner Sullivan met with the Parks Caucus in a Q&A forum for DCR, with about 30 legislatures in attendance. He expressed to the Caucus his desire to work closely with them and all agreed even though we may have challenges in various areas through the agency that they share a mutual goal to support the mission, and that he is committed to improving communication with them and working together to move toward making a world class system. The Commissioner informed the Caucus his wish to build DCR's field staff and of the need to reexamine where resources are currently placed. He heard their concerns about long-term leasing, the parkways transfer, maintenance schedules, and the development of regional long-term plans.
- g. Commissioner Sullivan discussed the Storrow Drive Tunnel Project. He commented that this project is a high-priority focus for the agency. Beginning in mid-July, following up on a meeting of the Landscape and Transportation Advisory Committees to discuss the various project design options, individual committee members submitted comment letters to DCR evaluating Options A-D, as had been requested as part of the public input process. Letters were received from approximately 25 individuals and organizations. On July 18 the Advisory Committees met to evaluate the options, and asked DCR to respond to a number of questions regarding the construction impacts and scope of the project, as well as to analyze the feasibility of a new version of Option B, the at-grade parkway, proposed by the Regional Transportation Advisory Council. The Committees also voted to ask DCR to postpone filing of the DEIR for 60 days, to allow them more time to develop a consensus on a recommended option.
- h. In response, the Commissioner has communicated with the Committee, stating that while DCR respects their extension request, the agency are committed to filing the DEIR on

August 31, two weeks prior to the timeframe they had suggested, and look forward to receiving their recommendations and feedback by August 24. DCR is providing the Committees with additional information to facilitate their upcoming meeting on August 15.

- i. Commissioner Sullivan discussed bridge and roadway safety. He stated in response to the tragic bridge collapse in Minnesota late last month and then to an incident on Rte. 128 involving a loose catch basin cover, DCR has taken steps to ensure that its bridges and roadways are safe and secure. DCR inspectors inspected the three DCR bridges that have a “box beam” design, similar to the bridge in Minnesota – the BU Bridge, Highland Avenue Bridge in Somerville, and the Revere Beach Parkway Bridge, and no issues were found. As a precautionary step, the annual inspection of the Longfellow Bridge was conducted on August 7th instead of the original timeframe in September. On DCR roadways, we are surveying the condition of approximately 600 catch basins.
- j. Emergency repair work on the Storrow Drive Tunnel, including pouring of new “J” beam forms to support a section of the tunnel, was completed in early July. Cleanup, removal of the temporary support, and stripping of the form work around the new beam has been carried out. The remaining item to be addressed in the repair project replacement of the guardrail at the westbound entrance where the beam replacement was done is scheduled to begin Sunday night, August 12.
- k. Repairs on the General Edwards Drawbridge were completed during late July; repairs on the Squire Bridge in Somerville should be completed on August 9; and repairs on the Craigie Drawbridge in Boston/Cambridge are underway and expected to be completed around August 17. Within two weeks of completion of the Craigie Drawbridge and Storrow Drive Tunnel repairs, the Longfellow Bridge will undergo removal of 500+ feet of steel sidewalk façade and deteriorated concrete and repair of trim, as needed for pedestrian safety. In each of these instances, DCR is taking steps to minimize vehicular and marine traffic impacts through scheduling of work during low-traffic periods and by providing public notice of upcoming work. The work on the Longfellow Bridge will be conducted by barge, and there will be no traffic impacts.
- l. Commissioner Sullivan discussed the violence and vandalism which has occurred this summer at various DCR pools. Where the most serious problems have arisen, for example at the Springfield Pool and Chicopee Pool, the Mass. State Police are continuing to assist in addressing security needs. DCR Bureau Chief Curt Rudge has met with both the State Police and the Environmental Police to determine security improvements that could be put in place, some during the rest of this season, others next season. The group has identified specific changes to regulations, signage, and operating procedures, as well as several capital investments, including more secure fencing, improved lighting, and the installation of security cameras.
- m. With respect to the Springfield Pool, in particular, DCR Park Rangers and State Police visited the facility to examine its physical layout. Using the “Crime Prevention through Environmental Design” concepts, they examined the parking area, building structure, pool area, and perimeter fencing, looking for opportunities to enhance security and improve operations. Improved fencing, security cameras, and restricted access will all be part of the final recommendations. Additional research is being done to evaluate

available equipment and procedures, which will help in the security upgrade. The final recommendations will be completed by the group in October.

- n. Following a four-day closure of the Connell Memorial Rink and Swimming Pool in Weymouth in March to enable temporary repairs to the ceiling and based on inspections and studies conducted this summer that revealed more extensive damage to the facility's roof, DCR has made a decision to close the facility for extensive roof repairs, beginning in September 2007. Work is expected to be completed in time for the facility to reopen in January 2008, and DCR is working with the community to find alternative facilities for user groups during the months the facility will be closed. DCR has scheduled a community meeting on the project plans on August 16, and is inviting local legislators and user groups. Commissioner Sullivan thanked Director of External Affairs, Suzanne Wilson for her work to ensure that all stakeholders were informed about this issue and offered assistance in finding alternative facilities to use this fall.
- o. The first meeting of the OHV Enforcement Working Group will be held on August 10. The Massachusetts Office of Dispute Resolution is working with DCR to provide meeting facilitation and process support in order to assist the group on its key tasks relating to existing laws and regulations, enforcement capacity, and education and communication resources.
- p. In regards to the parkways and bridges transfer, high-level discussions with EOT and MHD have continued regarding DCR parkways and the aspects of their maintenance and care that are most appropriate for each agency.
- q. Commissioner Sullivan spoke about the Capital Plan – FY 08 and Five-Year spending plan. The capital plan for EEA agencies includes major increased investment in DCR assets: For FY 08, more than \$96 million for DCR parks and other facilities, in addition to funding DCR land acquisition and municipal grant programs. This is a \$19 million increase over FY07.
- r. The Five-Year Capital Spending Plan for Energy and Environmental Affairs includes at least \$50 million per year for land conservation, beginning with the current fiscal year that began on July 1. This funding represents at 75 % increase over annual land protection spending during the previous four years, and 24 percent over annual spending from 1993 to 2003, adjusted for inflation. The Governor identified three top priority areas for land spending in the coming years:
 - i. *Commonwealth Urban Parks* (visionary new large urban parks in 10-15 cities located in neighborhoods with few existing parks, as well as new or expanded urban parks in all 51 of our cities)
 - ii. *Commonwealth Habitat Reserves* (ten premier large, unfragmented ecosystems across the state, by working with land trust and municipalities, to protect our most unique large habitats for future generations and as destination attractions to boost our emerging “green tourist” industry);
 - iii. *Commonwealth Working Landscapes* (prime agricultural and forest lands that support local, sustainable agriculture and forest industries, which together contribute over \$1 billion per year to our rural economies).
- s. The Commissioner answered various questions from the Council in regards to the bridges and construction, council vacancies, administrative needs, and the gap analysis.

III. **Committee Updates and Meeting Schedules**

a. Finance Committee, *Whitney Hatch*

- i. Councilor Hatch stated that currently there was no activity in vetoes in the budget and noted the incredible increase in the capital budget over the past seven years. He has asked Deputy Commissioner, Marianne Fleckner for a future Finance Committee meeting to compare the five year plan from the Romney administration to the next five year plan under the current administration; also to review the RMP budget and to discuss priorities.

b. Resource Management Plan Committee, *Henry Lee*

- i. Councilor Lee currently did not have anything to report but expects to have a full report for the September meeting.

c. Policy Committee, *Laura Johnson*

Councilor Johnson informed that the committee met with Jim DiMaio, Jonathan Yeo and Stephanie Cooper and discussed the revisions to the Public Outreach and Notification for Forest Cutting policy and will be meeting again before the September. The committee anticipates bringing this policy before the Council for a vote next month.

IV. **Eminent Domain Land Taking, *Tom LaRosa***

- a. General Counsel Tom LaRosa discussed the *Eminent Domain Taking for State Parkland Rowley State Forest pursuant to Ch. 132A, § 3 and #A of the General Laws* - The Department of Conservation and Recreation (DCR) proposes to use its power of eminent domain to acquire two (2) parcels of land in the Town of Rowley for park and reservation and protection of open space purposes. These 2 parcels are part of a legislative disposition of a strip of land in Rowley from the DCR to a private land owner that is authorized by Chapter 234 of the Acts of 2006. This special legislation specifically provides that the consideration of \$85,000.00 to be paid to the DCR and deposited in the Conservation Trust and that \$66,200.00 be used for the purchase of these 2 parcels from the Town of Rowley. A copy of this special legislation was attached for the Council. General Laws Chapter 132A, § 3A requires that, in order to take land within DCR's state parks district, that DCR obtain the concurrence of a majority of the Stewardship Council. The parcels of land DCR proposes to take are within the State Parks Division, and would become part of the Rowley State Forest. The taking is "friendly," which means that the landowner Town of Rowley and the Commonwealth have agreed on the purchase price for the land and all other conditions of the transaction which price also is set forth in the special legislation. Under these circumstances, there is no threat of a lawsuit by the landowner for additional damages once the taking has occurred.

- i. The Council had a few questions about the policy, statutes, land protection and acquirement of acres of land.

- ii. The Stewardship Council members were All in Favor of the taking, and gave their approval.

V. **Approval of Minutes from July 12, 2007 meeting**
All were in favor of the minutes from July 12, 2007.

VI. **Public Comment**

- a. **Dick Miller** of the Cochituate State Park Advisory Committee presented for Carol Berkowitz of Protect Our Water Resources, representing the POWR group of Natick. He provided hand outs of the letter addressed to Chairman Dick Cross from Carol Berkowitz regarding the State of Massachusetts legal process for citizens to appeal inappropriate wetlands decisions and the Administration of the Department of Environmental Protection (DEP) limiting the right of citizens to appeal state wetland decisions. POWR group is asking the council to inform the Governor's office the importance of preserving the citizen appeal process to defend the wetlands.
 - i. The Council informed Mr. Miller that this is not an appropriate role of the Stewardship Council because it is a DEP regulatory standard.
- b. **Dick Miller** of the Cochituate State Park Advisory Committee gave an overview and passed out a map on the Cochituate Rail Trail and Associated Trails along with information about proposed development in close proximity to Cochituate State Park. The Commissioner said he will look more into this issue and will get back to the public and the Council at the next meeting. General Counsel Tom LaRosa stated that there is no statutory law that prevents developers from building near park facilities, however DCR has the opportunity to comment through the MEPA process and express any concerns.
- c. **Steve Kaiser** of the Association of Cambridge Neighborhood discussed his view on the rebuilding of the Storrow Drive Tunnel. He felt that it will be an extremely difficult engineering problem. He requested that in future meetings if it is possible to have a listing of eminent domains to keep everyone abreast. There was also discussion on the wetlands protection and open communications.
- d. **Mike Ryan** of the Friends of Fells gave handouts regarding the concerns of MOSES, Massachusetts Organization of the State Engineers and Scientists in observation of the discussions between Executive Office of Energy and Environmental Affairs(EOEEA) and the Executive Office of Transportation(EOT) for the possible transferring of responsibility for DCR parkways and bridges responsibilities to the Mass Highway Department. He requested an open process for the public to have a chance to voice concerns and provide input. Commissioner Sullivan stated that there is no plan for ownership to be transferred to MHD. General Counsel LaRosa stated for any transfer it has to be an act of the Legislature. Councilor Johnson asked if a presentation or more explanation about this issue could be provided. Commissioner Sullivan stated that he will provide an update, however it may not be at the next Stewardship meeting.
- e. **Carol Gilmour** of the Friends of Robinson State Park asked about the process of recommending new members to become a Stewardship Council member. Commissioner

Sullivan suggested she provide him with any names and resumes of the recommended individuals.

- f. **Pine Du Bois** of the Jones River Watershed Association inquired about the earmark in the DCR budget for \$100,000 for the rail trail and also described the goals of the Jones River Watershed to protect water quality and watersheds, and to promote advocacy. She also invited the Council to come to the Environmental Heritage Center for their upcoming event.

- VII. **Meeting Schedule** – Next meeting will be on September 7, 2007. Proposed location and details will be sent out to the Stewardship Council and posted on the DCR internet.

Meeting adjourned 4:20 pm